

THE HON'BLE MR JUSTICE S.ANANDA REDDY

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Writ Petition No.17774 of 2005

11-08-2005

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Between:

Mohd.Gouse, S/o late Mohd.Maqqdoom Ali.

... PETITIONER

AND

Depot Manager, APSRTC, Falaknuma Depot, Engine Bowli,
Hyderabad.

.....RESPONDENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

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Writ Petition No.17774 of 2005

ORDER:

This writ petition is filed by the petitioner aggrieved by the order of suspension pending enquiry dated 03.08.2005.

According to the petitioner, he was appointed as a Conductor in the year 1980 and is working as such. While he was conducting bus on 11.07.2005, a check was conducted and on the ground that certain irregularities have been committed by the petitioner, he was charge sheeted and was also placed under suspension, pending enquiry. The petitioner is aggrieved against the said suspension order.

According to the petitioner, he has not committed any irregularity even though one lady passenger was found without ticket who was travelling from Charminar to Sanathnagar and deposed that she purchased the ticket, but her husband who got down the stage before the check was conducted had taken away the tickets. Therefore, the said passenger was unable to show the ticket which was stated to have been purchased by her. Therefore, the case of the petitioner is that on that mere omission of possessing ticket which was purchased by one of the passengers, the petitioner cannot be placed under suspension as the same would amount to penalising him for no fault on his part.

The learned counsel for the petitioner also stated that the statement given by the passenger also supports the version of the petitioner. Therefore, there is no justification in keeping the petitioner under suspension.

Heard the learned counsel for the petitioner and the learned Standing

Counsel appearing for the respondent-Corporation.

As the writ petition is directed against the order of suspension pending enquiry, this Court declines to go into the merits of the contentions raised in the present writ petition. It is premature for the petitioner to approach this Court as the matter is pending before the competent authority. It is not for this Court to go into the merits and express any opinion which would adversely affect the enquiry which is yet to be initiated and conducted.

Under the above circumstances, the writ petition is disposed of, without going into the merits of the contentions, directing the respondents to complete the enquiry expeditiously, preferably within a period of two months from the date of receipt of a copy of this order. No costs.

11.08.2005

VGB